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BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

December 1, 2003

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TRA DOCKET ROOM
In Re: *Implementation of the Federal Communications Commission's Triennial
Review Order (Nine-month Proceeding) (Switching)*
Docket No. 03-00491

**MOMENTUM BUSINESS SOLUTION RESPONSE TO BELL SOUTH
TELECOMMUNICATIONS, INC.'S
FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS**

Momentum Business Solutions ("Momentum") hereby submits its responses to BellSouth Telecommunications, Inc.'s ("BellSouth's") First Requests for Production of Documents.

RFD 1:

Produce all documents identified in response to BellSouth's First Set of Interrogatories.

OBJECTION:

Momentum objects to the extent the request seeks confidential, proprietary, or privileged documents. Momentum also incorporates by reference any and all objections that Momentum raised in response to BellSouth's First Set of Interrogatories.

RFD 2:

Produce every business case in your possession, custody or control that evaluates, discusses, analyzes or otherwise refers or relates to the offering of a qualifying service in the State of Tennessee.

OBJECTION:

Momentum objects on the grounds that the request seeks discovery of documents that are unrelated to the analysis the TRA will conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence, inasmuch as the FCC ruled that the impairment analysis is not to be based on individual carriers' business models. Momentum also objects on the grounds the request seeks the disclosure of confidential and proprietary business information.

RPD 3:

Produce all documents referring or relating to the average monthly revenues you receive from end user customers in Tennessee to whom you only provide qualifying service.

OBJECTION:

Momentum objects on the grounds that the request seeks discovery of information already in BellSouth's possession. Momentum also objects on the grounds the request seeks the disclosure of confidential and proprietary business information. Momentum objects on the grounds the request for "all" documents is overbroad and unduly burdensome. Momentum objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RPD 4:

Produce all documents referring or relating to the average number of access lines you provide to end user customers in Tennessee to whom you only provide qualifying service.

OBJECTION:

Momentum objects on the grounds the request seeks the disclosure of confidential and proprietary business information. Momentum objects on the grounds the request for "all" documents is overbroad and unduly burdensome. Momentum objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RPD 5:

Produce all documents referring or relating to the average monthly revenues you receive from end user customers in Tennessee to whom you only provide non-qualifying service.

OBJECTION:

Momentum objects on the grounds the request seeks the disclosure of confidential and proprietary business information. Momentum objects on the grounds the request for "all" documents is overbroad and unduly burdensome. Momentum objects to the use of the

terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations.

RPD 6:

Produce all documents referring or relating to the average monthly revenues you receive from end user customers in Tennessee to whom you provide both qualifying and non-qualifying service.

OBJECTION:

Momentum objects on the grounds that it seeks discovery of information already in BellSouth’s possession. Momentum also objects on the grounds the request seeks the disclosure of confidential and proprietary information. Momentum objects on the grounds the request for “all” documents is overbroad and unduly burdensome. Momentum objects to the use of the terms “qualifying” and “nonqualifying service” on the grounds the terms are subject to differing interpretations.

See Objection Response to RPD 2

RPD 7:

Produce all documents referring or relating to the average number of access lines you provide to end user customers in Tennessee to whom you provide both qualifying and non-qualifying service.

OBJECTION:

Momentum objects on the grounds the request for “all” documents is overbroad and unduly burdensome.

RPD 8:

Provide all documents referring or relating to the classifications used by Momentum Business Solutions to offer service to end user customers Tennessee (e.g. residential

customers, small business customers, mass market customers, enterprise customers, or whatever type of classification that you use to classify your customers).

OBJECTION:

Momentum objects on the grounds the request seeks confidential, proprietary, or privileged documents. Momentum also objects on the grounds the request seeks the disclosure of confidential and proprietary business information. Momentum objects on the grounds the request for “all” documents is overbroad and unduly burdensome. Momentum incorporates by reference any and all objections that Momentum raised in response to BellSouth’s First Set of Interrogatories.

RPD 9:

Produce all documents referring or relating to the average acquisition cost for each class or type of end user customer served by Momentum Business Solutions, as requested in BellSouth’s First Set of Interrogatories, No. 34.

OBJECTION:

Momentum objects on the grounds the request seeks confidential, proprietary, or privileged documents. Momentum also objects on the grounds the request seeks the disclosure of confidential and proprietary business information. Momentum objects on the grounds the request for “all” documents is overbroad and unduly burdensome. Momentum incorporates by reference any and all objections that Momentum raised in response to BellSouth’s First Set of Interrogatories.

RPD 10:

Produce all documents referring or relating to the typical churn for each class or type of end user customer served by Momentum Business Solutions, as requested in BellSouth’s First Set of Interrogatories, No. 35.

OBJECTION:

Response: Momentum incorporates its objection to Interrogatory No. 35.

RPD 11:

Produce all documents referring or relating to how Momentum Business Solutions determines whether to serve an individual customer's location with multiple DS0's or with a DS1 or larger transmission system.

RESPONSE:

Momentum has no documents responsive to this request, as it does not serve any customer locations with a DS1 or larger transmission system.

RPD 12:

Produce all documents referring or relating to the typical or average number of DS0's at which Momentum Business Solutions would choose to serve a particular customer with a DS1 or larger transmission system as opposed to multiple DS0, all other things being equal.

RESPONSE:

Momentum has no documents responsive to this request, as it does not serve any customer locations with a DS1 or larger transmission system.

RPD 13:

Produce all documents referring or relating to the cost of capital used by Momentum Business Solutions in evaluating whether to offer a qualifying service in a particular geographic market.

OBJECTION:

Momentum objects on the grounds the request seeks the disclosure of confidential and proprietary business information. Momentum objects on the grounds the request for "all" documents is overbroad and unduly burdensome. Momentum objects to the use of the

terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations. Momentum objects to the use of the term “cost of capital” on the grounds the term is subject to differing interpretations.

See Objection Response to RPD 2

RPD 14:

Produce all documents referring or relating to the time period used by Momentum Business Solutions in evaluating whether to offering a qualifying service in a particular geographic market (e.g., one year, five years, ten years, or some other time horizon over which a project is evaluated)?

OBJECTION:

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See Objection Response to RPD 2

RPD 15:

Produce all documents referring or relating to your estimates of sales expense when evaluating whether to offer a qualifying service in a particular geographic market.

OBJECTION:

Momentum objects on the grounds the request seeks the disclosure of confidential and proprietary business information. Momentum objects on the grounds the request for “all” documents is overbroad and unduly burdensome. Momentum objects to the use of the terms “qualifying service” and “nonqualifying service” on the grounds the terms are

subject to differing interpretations. Momentum objects to the use of the term “sales expense” on the grounds the term is subject to differing interpretations.

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RPD 16:

Produce all documents referring or relating to your estimate of general and administrative (G&A) expenses when evaluating whether to offer a qualifying service in a particular geographic market.

OBJECTION:

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See Objection Response to RPD 2

RPD 17:

Produce all documents referring or relating to any complaints by Momentum Business Solutions or its end user customers about individual hot cuts performed by BellSouth since January 1, 2000.

RESPONSE:

Momentum has no documents responsive to this request.

RPD 18:

Produce all documents referring or relating to a batch hot cut process used by any ILEC in the BellSouth region that is acceptable to Momentum Business Solutions or that Momentum Business Solutions believe is superior to BellSouth's batch hot cut process.

RESPONSE:

Momentum has no documents that are responsive to this request.

RPD 20:

Produce all documents referring or relating to a individual hot cut process used by any ILEC in the BellSouth region that is acceptable to Momentum Business Solutions or that Momentum Business Solutions believes is superior to BellSouth's individual hot cut process.

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RESPONSE:

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Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: _____

Henry Walker

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